

AMENDED IN SENATE SEPTEMBER 3, 2013

AMENDED IN SENATE JULY 10, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 18, 2013

AMENDED IN ASSEMBLY APRIL 2, 2013

AMENDED IN ASSEMBLY MARCH 11, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 56

Introduced by Assembly Member Weber
(Coauthors: Assembly Members Ammiano, Brown, Holden,
Maienschein, and Wieckowski)
(Coauthor: Senator Cannella)

January 7, 2013

An act to add Article 7 (commencing with Section 32080) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as amended, Weber. School facilities: carbon monoxide devices.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires certain new school facilities construction projects that require the approval of the Department of General Services, as specified, to include an automatic fire detection, alarm, and sprinkler system.

Existing law requires an owner of a dwelling unit intended for human occupancy to install a carbon monoxide device, as specified, in each

existing dwelling unit having a fossil fuel burning heater or appliance, a fireplace, or an attached garage.

~~This bill would require any private or public school building used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built on or after January 1, 2014, and that has a fossil fuel burning furnace located inside the school building, to have a carbon monoxide device. The bill would require that the carbon monoxide device be installed in close proximity to each furnace located within the school building.~~

Existing law, the California Building Standards Law, requires the California Building Standards Commission to approve or adopt proposed building standards that are submitted by state agencies during an 18-month code adoption cycle.

~~This bill would require, by July 1, 2015, the State Fire Marshal to propose for adoption by the commission, appropriate standards for implementing the bill's provisions in the next code adoption cycle of the California Building Standards Commission: the installation of carbon monoxide devices in public and private school buildings that meet specified criteria.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) (1) Carbon monoxide is an odorless, colorless gas produced
- 4 when fuel, such as gas, oil, kerosene, wood, or charcoal, is burned.
- 5 Carbon monoxide can cause harmful health effects by reducing
- 6 the delivery of oxygen to the body's organs, such as the heart,
- 7 brain, and tissues. The most common symptoms of carbon
- 8 monoxide poisoning are headaches, dizziness, weakness, nausea,
- 9 vomiting, chest pain, and confusion. Long-term breathing of carbon
- 10 monoxide can affect the memory, brain function, behavior, and
- 11 cognition. According to the American Medical Association, carbon
- 12 monoxide is the leading cause of accidental poisoning deaths in
- 13 the United States. Gas furnaces and other fuel-burning appliances
- 14 are common sources of carbon monoxide poisoning.
- 15 (2) The federal Centers for Disease Control and Prevention
- 16 estimate that each year more than 400 Americans die from

1 unintentional carbon monoxide poisoning, more than 20,000 visit
2 the emergency room, and more than 4,000 are hospitalized due to
3 carbon monoxide poisoning. According to the United States
4 Environmental Protection Agency, a person cannot see or smell
5 carbon monoxide. At high levels, carbon monoxide can kill a
6 person in minutes.

7 (3) The State Air Resources Board estimates that every year
8 carbon monoxide accounts for between 30 and 40 avoidable deaths,
9 possibly thousands of avoidable illnesses, and between 175 and
10 700 avoidable emergency room and hospital visits.

11 (4) There are well-documented chronic health effects of acute
12 carbon monoxide poisoning and prolonged exposure to carbon
13 monoxide, including, but not limited to, lethargy, headaches,
14 concentration problems, amnesia, psychosis, Parkinson's disease,
15 memory impairment, and personality alterations.

16 (b) In an analysis conducted by the National Fire Protection
17 Association of nonfire carbon monoxide incidents reported for the
18 year 2005, 250 carbon monoxide incidents were reported
19 nationwide in educational facilities. Of these, 150 incidents
20 occurred in school buildings used for preschool, kindergarten, or
21 grades 1 to 12, inclusive.

22 (c) (1) On December 3, 2012, Finch Elementary School in
23 Atlanta, Georgia, was evacuated after firefighters discovered a
24 carbon monoxide leak from the school's furnace. Firefighters
25 responded to the school after reports came in that people at the
26 school were unconscious. Although no one was found unconscious,
27 firefighters found people sickened and, in total, 43 students and
28 10 adults were taken to the local hospital.

29 (2) The firefighters detected high and unsafe levels of carbon
30 monoxide near a furnace, and detected up to 1,700 parts per million
31 of carbon monoxide in other areas, a very high level of the gas.

32 (3) The State of Georgia did not require school facilities to have,
33 and Finch Elementary School did not have, carbon monoxide
34 detectors. Two states, Maryland and Connecticut, have passed
35 legislation requiring carbon monoxide detectors in school facilities.

36 (d) Senate Bill 183 of the 2009–10 Regular Session (Chapter
37 19 of the Statutes of 2010) requires a dwelling unit that is intended
38 for human occupancy and that has a fossil fuel burning heater or
39 appliance, a fireplace, or an attached garage to have a carbon
40 monoxide alarm, as specified.

(e) Because carbon monoxide affects individuals differently and symptoms of exposure can mimic symptoms of common ailments such as the influenza virus, it is difficult to quantify the exact number of carbon monoxide incidents in school buildings and it is highly probable that the number of carbon monoxide incidents is underreported. Additionally, the number of carbon monoxide incidents in schools will likely rise in future years as school buildings and their infrastructure become outdated over time. Carbon monoxide devices provide a vital, highly effective, and low-cost protection against carbon monoxide poisoning and these devices should be made available to every school in California to help prevent students from being exposed to the effects of carbon monoxide.

SEC. 2. Article 7 (commencing with Section 32080) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

Article 7. Carbon Monoxide Devices

32080. For purposes of this article, “fossil fuel” has the same meaning as defined in Section 13262 of the Health and Safety Code.

~~32081. (a) A private or public school building that is used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built on or after January 1, 2014, and that has a fossil fuel burning furnace located inside the school building, shall have a carbon monoxide device, approved and listed pursuant to Section 13263 of the Health and Safety Code, installed in that building.~~

32081. (a) *By July 1, 2015, the State Fire Marshal shall propose for adoption by the California Building Standards Commission, for the commission’s next triennial code adoption cycle, appropriate standards for the installation of carbon monoxide devices in school buildings. The proposed building standards shall require carbon monoxide devices to be installed in public and private school buildings that meet all of the following criteria:*

(1) *The school building is constructed pursuant to the 2016 California Building Standards Code (Title 24 of the California*

1 *Code of Regulations), or any amendments to the California*
2 *Building Standards Code which follow.*

3 (2) *The school building is used for educational purposes for*
4 *kindergarten or any of grades 1 to 12, inclusive.*

5 (3) *A fossil fuel burning furnace is located inside the school*
6 *building.*

7 (b) ~~A private or public school-used that uses a school building~~
8 ~~for educational purposes for kindergarten or any of grades 1 to 12,~~
9 ~~inclusive, that was built before the adoption of the 2016 California~~
10 ~~Building Standards Code (Title 24 of the California Code of~~
11 ~~Regulations), and has a fossil fuel burning furnace located inside~~
12 ~~the school building, and that was built before January 1, 2014,~~
13 ~~building is encouraged to have a carbon monoxide device installed~~
14 ~~in the building.~~

15 ~~32082. A carbon monoxide device installed pursuant to Section~~
16 ~~32081 shall be installed in close proximity to each furnace located~~
17 ~~within the public or private school building so that the device can~~
18 ~~accurately detect the leakage of carbon monoxide.~~

19 ~~32083. The State Fire Marshal shall propose appropriate~~
20 ~~standards for the implementation of this article in the next code~~
21 ~~adoption cycle of the California Building Standards Commission.~~